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VIA ECF

Hon. Valerie Caproni, USDJ
United States District Court, Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: *Obesity Action Coalition v. Aetna, Inc. d/b/a Aetna Better Health, Inc.*,
Civil Case No. 1:19-cv-04557

Dear Judge Caproni:

We represent Defendants Aetna Inc. and Aetna Better Health, Inc. (collectively, “Aetna”) in the above-referenced matter and write to provide a brief status update to the Court and request an additional 60-day stay of all pending deadlines in light of the parties’ settlement negotiations.

As the Court is aware, Aetna has decided to revise its bariatric surgery policy to eliminate the specific time requirements of which Plaintiff Obesity Action Coalition (“OAC”) complains. The parties expect that once the revised policy is published—which Aetna expects will occur within the next 60 days—they will be able to settle this litigation.

Accordingly, Aetna respectfully requests that:

- (1) All deadlines be stayed; and
- (2) The parties be permitted to file a letter with the Court, on or before May 5, 2020, informing the Court as to the status of negotiations and whether a settlement has been reached.

OAC’s counsel has advised Aetna that OAC consents to the above requests.

Application GRANTED. This case will remain STAYED pending settlement discussions. The parties are directed to submit a status update by **May 5, 2020** indicating whether a resolution has been reached.

SO ORDERED.



3/3/2020

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ Earl B. Austin
Earl B. Austin